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Complainant
DANA OGDEN, INDIVIDUALLY AND
AS TRUSTEE OF THE OGDEN 1997
TRUST, AS RESTATED AND AMENDED

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

UNITED STATES OF AMERICA, ex rel.
THOMAS GRINNER,

Relator,

v.

DANA OGDEN, individually and as trustee of
THE OGDEN 1997 TRUST, as restated and
amended,

Defendant.

AND COUNTERCLAIM

Case No. 4:20-cv-01691-DMR

**STIPULATED REQUEST FOR ORDER
CHANGING TIME OF FURTHER
CASE MANAGEMENT CONFERENCE
AND ORDER (AS MODIFIED)**

Date: n/a
Time: n/a
Before: Hon. Donna M. Ryu

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Defendant Thomas Grinner and Counter-

10 *Defendant Aisha Bailey*

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1 Pursuant to Civil Local Rule 6-2, Plaintiff-Relator and Counter-Defendant Thomas
2 Grinner, Counter-Defendant Aisha Bailey and Defendant and Counter-Complainant Dana Ogden
3 (collectively, the “Parties”) respectfully submit this stipulated request for an order extending the
4 dates for the further case management conference and the filing of the updated joint case
5 management statement forth in this Court’s July 19, 2021 stipulated order until after the October
6 1, 2021 mediation date that has been reserved in this case. *See* Dkt. No. 100.

7 On February 25, 2021, the Court referred this case to mediation through the ADR
8 Program to take place within 90 days or as soon thereafter convenient to the assigned mediator’s
9 calendar. *See* Dkt No. 64.

10 On March 9, 2021, the Court appointed Howard Herman, Esq. of JAMS as mediator. *See*
11 Dkt. No. 70.

12 Mediation was set for May 14, 2021 at 12:00 p.m. before Mr. Herman. *See* 3/25/2021
13 Docket Entry.

14 Shortly before the May 14, 2021 mediation, JAMS staff informed counsel for the Parties
15 that Mr. Herman was not available to proceed on the scheduled day due to an emergency.

16 In their July 13, 2021 stipulation and request regarding the continuance of trial and
17 pretrial dates, the Parties explained that they expected to be able to schedule mediation in this
18 case in July or August 2021. *See* Dkt. No. 99. However, based on the Parties’ and mediator’s
19 availability, October 1, 2021 is the earliest date that the Parties have been able to reserve.

20 In light of the later than expected mediation date and in an effort to avoid the potentially
21 unnecessary expenditure of time by the Court and the Parties, counsel for the Parties believe that
22 a limited postponement of the further case management conference and updated joint case
23 management statement in this case is warranted. The Parties therefore respectfully make this
24

1 stipulated request for the following extensions of the dates specified in the Court's July 19, 2021
2 stipulated order (Dkt. No. 100):

- 3 (i) that the September 15, 2021 further case management conference be reset for
4 October 20, 2021 at 1:30 pm by Zoom video conference; and
5 (ii) that the September 8, 2021 date for filing the updated joint case management
6 statement be extended to October 13, 2021.

7 At the suggestion of the Court's ADR Program and JAMS staff, the Parties further
8 respectfully request that the Court extend the mediation deadline set forth in its prior order (Dkt.
9 No. 64) to October 1, 2021, or as soon thereafter as is convenient to the mediator's calendar.

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11 Respectfully submitted,

12 Date: August 13, 2021

/s/ Todd Espinosa

Todd Espinosa

Law Office of Todd Espinosa

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15 Nubyaan S. Scott

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16 Palmer Buchholz

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18 *Attorneys for Plaintiff-Relator and Counter-*
19 *Defendant Thomas Grinner and Counter-Defendant*
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1 Date: August 13, 2021

/s/ Ernest M. Isola

2 ERNEST M. ISOLA
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4 GORDON REES SCULLY MANSUKHANI, LLP

5 Attorneys for Defendant and Counter-Complainant
6 DANA OGDEN, INDIVIDUALLY AND AS
7 TRUSTEE OF THE OGDEN 1997 TRUST, AS
8 RESTATED AND AMENDED

9 **Civ. L.R. 5-1 Attestation** — I attest that the signatories to this document have concurred in its
10 filing. /s/ Todd Espinosa

11 **ORDER**

12 Pursuant to stipulation, IT IS SO ORDERED AS MODIFIED.

13 Date: August 17, 2021

14 HON. DONNA M. RYU
15 UNITED STATES MAGISTRATE JUDGE

